



General Assembly

January Session, 2005

**Substitute Bill No. 6344**

\* \_\_\_\_\_ HB06344VA\_PD\_031105 \_\_\_\_\_ \*

**AN ACT CONCERNING THE PLACEMENT OF UNITED STATES  
FLAGS ON VETERANS' GRAVES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. Section 19a-297 of the general statutes is repealed and the  
2       following is substituted in lieu thereof (*Effective from passage*):

3       (a) The selectmen of towns, cemetery associations or ecclesiastical  
4       societies, having the care of cemeteries, may enact bylaws providing  
5       for the care and management of all burial lots, and the protection of all  
6       shrubs, trees, fences and monuments thereon, provided no such  
7       bylaws shall require or result in the removal or banishing of any  
8       undamaged United States flag or armed forces service marker,  
9       including [flagholders provided by veterans organizations] any  
10      flagholder, from any grave site, and may appoint superintendents and  
11      sextons for such cemeteries, who shall have the exclusive right to  
12      direct the opening of graves, and no grave shall be opened in any  
13      cemetery except with the consent of the superintendent or sexton.

14      (b) (1) Any person who removes an undamaged United States flag  
15      or armed forces service marker, including any flagholder, from a grave  
16      site shall have committed an infraction, except that the provisions of  
17      this subdivision do not apply to (A) the immediate family of the  
18      person buried at such site, or (B) the temporary removal of such flag or  
19      service marker by a person having the care of such cemetery only for

20 the duration necessary to permit maintenance of the cemetery lawn or  
 21 grave sites. (2) Any person to whom such bylaws have been made  
 22 known who violates [the same] any provision of the bylaws shall be  
 23 fined not more than ten dollars. As used in this subsection, "immediate  
 24 family" means the spouse, parents, children or siblings, or any person  
 25 with legal responsibility for the estate of the person buried at such site.

26 (c) The incorporators, organizers or members of any cemetery  
 27 association or, if no incorporators, organizers or members are living,  
 28 the owners of burial lots therein, by a majority vote, may, at any  
 29 meeting called for that purpose, amend its articles of association or its  
 30 bylaws.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	19a-297
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VA

Joint Favorable Subst. C/R

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